

USMS
SCREENED

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MARK SAUNDERS,

Plaintiff,

v.

ROSALIND PICARD, ANN MACKAY,
KRISTEN LUKEN, ROGER MARK,
THOMAS DUVOL, HAROLD JONES,
GARRETT SMITH, DANIEL ROMAINÉ,
ANDERS BROWNORTH, CARMEN
ALDINGER, DORIS KELLOM,
BEATRICE YANKEY, AND THE
NEWTON COVENANT CHURCH,

Defendants.

Civil Action No.: 21-cv-11240-AK

U.S. DISTRICT COURT
DISTRICT OF MASS.

2022 DEC 16 AM 11:44

FILED
IN CLERKS OFFICE

**ASSENTED-TO MOTION TO EXTEND
TIME TO RESPOND TO AMENDED COMPLAINT**

Pursuant to Rule 6(b)(1)(A) of the Federal Rules of Civil Procedure, *pro se* Defendants Ann MacKay, Kristen Lucken, Thomas DeVol, Carmen Aldinger, Beatrice Yankey, Anders Brownworth, Doris Kellom, and Newton Covenant Church (together, the “Served Defendants”), with the assent of *pro se* Plaintiff Mark Saunders (“Plaintiff”), hereby move for an order extending the time by which the Served Defendants must respond to the Amended Complaint filed in the above-caption action by 30 days. As grounds for this motion, the Served Defendants state as follows:

1. Plaintiff filed his original Complaint in this action on July 30, 2021. Plaintiff did not serve the original Complaint.
2. On June 16, 2022, Plaintiff filed the Amended Complaint.
3. On August 10, 2022, the Court issued Summonses as to all Defendants.

4. On November 8, 2022, Plaintiff requested an extension of time to serve the Amended Complaint. On November 29, 2022, the Court allowed Plaintiff's request, extending the time for Plaintiff to serve the Amended Complaint to January 13, 2023.

5. Plaintiff served the Amended Complaint on Defendants Ann MacKay ("MacKay"), Kristen Lucken ("Lucken"), Tom DeVol ("DeVol"), Carmen Aldinger ("Aldinger") and Beatrice Yankey ("Yankey") on November 28, 2022. Accordingly, the deadline to respond to the Amended Complaint is currently December 19, 2022

6. Plaintiff served the Amended Complaint on Defendant Newton Covenant Church ("NCC") on December 5, 2022. Accordingly, the deadline for NCC to respond to the Amended Complaint is currently December 27, 2022.

7. Plaintiff served the Amended Complaint on Defendant Anders Brownworth ("Brownworth") on December 7, 2022. Accordingly, the deadline for Brownworth to respond to the Amended Complaint is currently December 28, 2022.

8. Plaintiff served the Amended Complaint on Defendant Doris Kellom ("Kellom") on December 13, 2022. Accordingly, the deadline for Kellom to respond to the Amended Complaint is currently January 3, 2023.

9. Plaintiff has not served Defendants Roger Mark, Harold Jones, Rosalind Picard, Garrett Smith, and Daniel Romaine.

10. The Served Defendants request that the Court extend the time by which they must respond to the Amended Complaint by 30 days to provide the Served Defendants adequate time to review and prepare a response to the allegations set forth in the Amended Complaint and in view of the upcoming holidays.

11. Plaintiff assents to the relief requested herein.

12. Affording the Served Defendants additional time to respond to the Amended Complaint will not unfairly prejudice any party.

13. This motion was prepared with the assistance of counsel.

WHEREFORE, the Served Defendants, with the assent of Plaintiff, respectfully request that the Court extend the time by which they must respond to the Amended Complaint by 30 days; namely: (a) extending the deadline for Defendants MacKay, Lucken, DeVol, Aldinger, and Yankey to respond to the Amended Complaint to January 18, 2023; (b) extending the deadline for Defendant NCC to respond to the Amended Complaint to January 26, 2023; (c) extending the deadline for Defendants Picard and Brownworth to respond to the Amended Complaint to January 27, 2023; and (d) extending the deadline for Defendant Kellom to respond to the Amended Complaint to February 2, 2023.

Respectfully submitted,

/s/ Carmen Aldinger

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I hereby certify pursuant to Local Rule 7.1 that the Served Defendants made a good faith effort to meet and confer with Plaintiff, and that Plaintiff assents to the relief requested herein.

/s/ Benjamin Downs
Benjamin Downs

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as nonregistered participants on this ___ day of December 2022.

/s/ Benjamin Downs
Benjamin Downs